

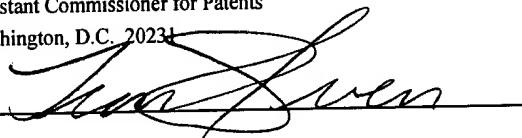
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Date of Deposit: November 1, 1999

**PATENT**  
Attorney Docket No.: 16303-002430

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 CFR 1.110 on the date indicated above, addressed to:

Assistant Commissioner for Patents

Washington, D.C. 20231

By: 

1C511 U.S. PTO  
09/431594  
11/01/99

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

JEFFERY J. WHEELER, *et al.*

Application No.: Unassigned

Filed: November 1, 1999

For: LIPID-NUCLEIC ACID  
PARTICLES PREPARED VIA A  
HYDROPHOBIC LIPID-NUCLEIC  
ACID COMPLEX INTERMEDIATE  
AND USE FOR GENE TRANSFER

Examiner: Unassigned

Art Unit: Unassigned

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98**

Assistant Commissioner for Patents  
Washington, D.C. 20231

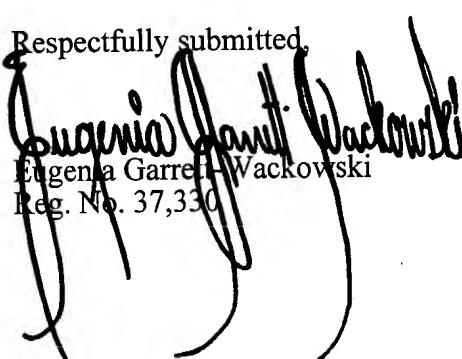
Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 08/660,025, filed June 6, 1996 (Attorney Docket No. 16303-002410). It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicants believe that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
Eugenia Garrett-Wackowski  
Reg. No. 37,330

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SF 1039997 v1

FORM PTO-1449 (Modified)		Attorney Docket No.: 16303-002430		Application No.:		
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		Applicant: JEFFERY J. WHEELER, <i>et al.</i>				
		Filing Date: 11/1/99		Group: Unassigned		
Reference Designation		U.S. PATENT DOCUMENTS				Page 1
Examiner Initial	Document No.	Date	Name	Class	Sub-class	Filing Date (If Appropriate)
1	4,394,448	7/19/83	Szoka, Jr., <i>et al.</i>	424	19	11/01/99
2	4,438,052	3/20/84	Weder, <i>et al.</i>	264	4.6	431594
3	4,515,736	5/7/85	Deamer	264	4.3	
4	4,598,051	7/1/86	Papahadjopoulos, <i>et al.</i>	436	512	
5	4,897,355	1/30/90	Eppstein, <i>et al.</i>	435	240.2	
6	5,013,556	5/7/91	Woodle, <i>et al.</i>	424	450	
7	5,171,678	12/15/92	Behr, <i>et al.</i>	435	172.3	
8	5,208,036	5/4/93	Eppstein, <i>et al.</i>	424	450	
9	5,225,212	7/6/93	Martin, <i>et al.</i>	424	450	
10	5,264,618	11/23/93	Felgner, <i>et al.</i>	560	224	
11	5,279,833	1/18/94	Rose	424	450	
12	5,283,185	2/1/94	Epand, <i>et al.</i>	435	172.3	
13	5,320,906	6/14/94	Eley, <i>et al.</i>	428	402.2	
14	5,545,412	8/13/96	Eppstein, <i>et al.</i>	424	450	
15	5,705,385	1/6/98	Bally, <i>et al.</i>	435	320.1	
FOREIGN PATENT DOCUMENTS						
	Document No.	Date	Country	Class	Sub-class	Translation (Yes/No)
16	WO 91/16024	10/31/91	PCT			
17	WO 93/05162	3/18/93	PCT			
18	WO 93/12756	7/8/93	PCT			
19	WO 95/02698	1/26/95	PCT			
20	WO 96/10390	4/11/96	PCT			
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
21	Ballas, <i>et al.</i> , <i>Biochim. Biophys. Acta</i> , 939:8-18 (1988)					
22	Behr, <i>Acc. Chem. Res.</i> , 26:274-78 (1993)					
23	Brigham, <i>et al.</i> , <i>Am. J. Med. Sci.</i> , 298:278-281 (1989)					
24	Culver, <i>Gene Therapy: A Handbook for Physicians</i> , pp. 33-40 (1994)					
25	Duzgunes, <i>Subcellular Biochemistry</i> , 11:195-286 (1985)					
26	Enoch, <i>et al.</i> , <i>Proc. Natl. Acad. Sci. USA</i> , 76(1):145-149 (1979)					
27	Felgner, <i>et al.</i> , <i>Proc. Natl. Acad. Sci. USA</i> , 84:7413-7417 (1987)					
28	Gao, <i>et al.</i> , <i>Biochem. Biophys. Res. Comm.</i> , 179:280-285 (1991)					
29	Gershon, <i>et al.</i> , <i>Biochemistry</i> , 32:7413-7151 (1993)					
30	Hawley-Nelson, <i>et al.</i> , <i>Focus</i> , 15(3):73 (1993)					
31	Hyde, <i>et al.</i> , <i>Nature</i> , 362:250-256 (1993)					
32	Juliano, <i>Biochem. Biophys. Res. Commun.</i> , 63:651-658 (1975)					

FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		Attorney Docket No.: 16303-002430	Application No.:
		Applicant: JEFFERY J. WHEELER, <i>et al.</i>	
		Filing Date: 11/1/99	Group: Unassigned
33	Legendre, <i>Pharm. Res.</i> , 9:1235-1242 (1992)		
34	Leventis, <i>et al.</i> , <i>Biochem. Biophys. Acta</i> , 1023:124 (1990)		
35	Puyal, <i>et al.</i> , <i>Eur. J. Biochem.</i> , 228:697-703 (1995)		
36	Stamatatos, <i>et al.</i> , <i>Biochemistry</i> , 27:3917-3925 (1988)		
37	Szoka, <i>et al.</i> , <i>Ann. Rev. Biophys. Bioeng.</i> , 9:467-508 (1980)		
38	Szoka, <i>et al.</i> , <i>Proc. Natl. Acad. Sci. USA</i> , 75(9):4194-4198 (1978)		
39	Wilson, <i>et al.</i> , <i>Biochemistry</i> , 18:2192-2196 (1979)		
40	Woodle, <i>et al.</i> , <i>Biochim. Biophys. Acta</i> , 1105:193-200 (1992)		
41	Zhu, <i>et al.</i> , <i>Science</i> , 261:209-211 (1993)		
EXAMINER	DATE CONSIDERED		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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